

HELD ON SERIOUS CHARGE

J. R. Painter awaits the investigation of the Grand Jury for arson.

Sunday morning about three o'clock, Claiborne Morrison, who lives below Buckeye discovered two men in his yard lighting a torch, which they stuck in the roof of his kitchen. The men immediately left, and Morrison hurried to extinguish the flames, which was easily accomplished, as a rain barrel was near. While engaged in this he discovered his barn, which stood some fifty yards from the house, to be on fire also. He hurried there to save his two horses. One had already broken loose, but the other was gotten out with difficulty. By the time the horse was gotten out the roof was ready to fall in. The barn was of logs, shingled around and had some lumber and hay in it. The loss is estimated at \$150.

Morrison and his wife recognized one of the men to be J. R. Painter, with whom they had had trouble earlier in the spring.

A warrant was sworn out for him before Squire Richardson, who held the preliminary examination on Tuesday. There was a host of witnesses summoned, a part of whom testified. Below is a summary of the evidence.

CLAIBORNE MORRISON

Lives below Buckeye, three-quarters of a mile from J. R. Painter's. Was at home on Saturday night with his wife and four children. Had not slept well on account of fleas. About three o'clock had arisen to shake the bed, and afterward laid down again, but had not gone to sleep. Was aroused by a light on the window pane. Upon looking out saw two men in the yard lighting a torch. The moon was shining and by its light and the light of the torch recognized J. R. Painter, who was slowly turning the torch to cause it to thoroughly ignite. Could not tell who the other man was as he kept his back to him. He wore a black coat and a broad rimmed hat. Painter then took the torch and leaned it against the corner of the kitchen where the flames would easily reach the shingle roof. The men had then disappeared behind the wood shed in the direction of the barn. Morrison had awakened his wife and she too had recognized Painter and seen the other man. There were no fire arms about the house. When the men had gone he went to the kitchen and extinguished the fire. The side of the house was scorched and the shingles were all ablaze. The torch was leaning up against the house and was a piece of scantling about ten feet long, upon which was tied a feed sack which had been saturated with lamp oil. He then discovered his barn to be on fire, and as soon as his house was safe went there to save his two horses. One had broken loose, but the other was still in the stall. Sparks were falling in the manger, and the hay and the roof were on fire. A like torch to the one at the house was found leaning against the stable. The roof fell in shortly. At lowest estimate he considered the barn worth a hundred dollars. There was also a number of loads of oak lumber which he valued at \$50. There was some feeling between Painter and himself, and they were not on speaking terms. On Sunday night at fifteen minutes to three some men were again on the premises. They shot a number of times and the people went away. Did not know who it was.

Mrs Morrison corroborated the testimony of her husband.

J. O. MORRISON

Is a brother of Claiborne Morrison. Had gone to his brother's house early Sunday morning. Day had barely broken. Barn was still burning and he saw where the torch had charred the shingles on the house. Torch lay a few feet from the house—a scantling with a fertilizer or feed sack tied to it. Sack smelled of coal oil. Did not recognize sack and saw no other like it around the yard. A like piece of scantling was seen near the barn. The torch had been put against the southeast corner of the kitchen part of the house. The main house was of logs, but the kitchen was frame. Place the fire was put could be seen from window of main house. Woodshed was thirty feet behind

the house, was as high, as broad, but not as long as the barn, which stood perhaps ninety feet behind the wood shed. On rebuttal he recognized charred shingles placed in evidence as once taken from his brother's house.

T. M. Aldridge, father-in-law of Morrison, made testimony to practically the same. On rebuttal he said the barn was not an old one, was shingled on two sides and was worth with what he knew to be in it, at a low estimate, \$150.

J. R. PAINTER

On last Saturday had gone to Duncan's store in the evening. Had gotten a gallon of oil and his mail. Returned with H. A. Welton, at whose house he had stopped a few minutes, went on home, had supper and was in bed by half past nine. Was at home all night. Lottie McNeil and her two children occupied room adjoining. Was not at Morrison's and had not been on his land for a month. There was some feeling between them, and they had not been on good terms since Morrison had accused him of shooting his cow. He did not fire Morrison's barn, was not on the premises, and did not hear about it until noon the next day, when he was at Duncan's store. He was at home Sunday night, and heard no gun shots. On cross examination he said he had never made threats against Morrison other than to say when he was arrested for shooting Morrison's cow that a man who would do a thing like that ought to be killed. He had also said that if Morrison would tell him to his face that he had shot his cow he would shoot him. Had he wanted to even things with Morrison, he would have gone after the man and not attempted to injure his family or property.

LOTTIE MCNEIL

Has her home with Painter a mile below Buckeye, three quarters of a mile from Morrison's. Painter had been to Buckeye on Saturday evening for oil, but had returned about nine o'clock, eaten supper and gone to bed. She occupied an adjoining room but believed she could have heard him if he had gone out during the night. On Sunday night she heard seven or eight shots and had wakened Painter as she thought some one was killing their hogs.

Roxie McNeil, Lottie McNeil's 12 year old child, was in substance the same as her mother's testimony.

MOSES JONES

Lives in Pleasant County. Had been in Pocahontas since Saturday evening. Was at Morrison's on Monday morning, looking around saw scantling with rag on it, which had been saturated the oil and had marks of fire on it. Saw no sign of fire on the house. Did not examine closely nor climb up to see if the shingles had been burnt. It was on old roof and ten or twelve feet to where the shingles commenced. Had had his attention called to a piece of sack in the yard.

EARNST WEIFORD

Was at Morrison's on Monday. Saw no sign of fire on the house. Saw scantling, about six feet long with sack fastened to it. It smelled of oil and had been burned. There was another piece of sack lying in the yard. Did not know what barn was worth.

LEW OVERHOLT

Is watchman at Improvement Lick sawmill. On Monday morning at a quarter to three had heard a number of shots. They were evidently rifle shots, and perhaps a few pistol shots.

E. M. ARBOGAST

Did not know Painter, but was acquainted with Morrison. Had been at Morrison's home on Tuesday. Found the southeast corner of the kitchen charred and burned. There was no boxing and the sheeting was exposed. Recognized charred shingles as the ones he had pulled from the house. Was never at the place until Tuesday when he had been asked to go.

E. M. Beard's testimony was the same, adding that he and George McCollam had easily found the burned place without being shown.

Setting fire to a house when occupied is one of the most serious crimes in the calendar, and is punishable with death. If the building is only smoked, it is put down as an attempt and punishable by confinement in the penitentiary

not longer than five years. Where the house has been charred it is arson.

Painter came to Pocahontas when the railroad was being built six or seven years ago. He brought his wife and child to Marlinton and opened a blacksmith shop. They afterward moved to the Apperson place, where they were accused of selling whiskey, and the wife was indicted a number of times. She afterward got a divorce and has since married. Painter then took Lottie McNeil and they have since been living together near Buckeye. Some months ago his neighbor, Claiborne Morrison had him arrested, charged with shooting his cow. Painter was turned loose because of insufficient evidence.

Squire Richardson deemed the evidence sufficient to hold Painter for investigation by the grand jury and committed him to jail without bail.

On Monday, July 9 1906 there occurred a pleasant home wedding at D. W. Sharp on Laurel Creek, Mr Earnest C. Snyder and Miss Margaret S. Dilley being united in marriage by Rev G. W. Marston. The happy couple will reside on Williams river and their friends wish them a prosperous and happy life.

P. A. Harrison, of Lexington, was in the county last week on business. He is an Ex-Confederate soldier, and bears the marks of one who knows what war really means. One arm is entirely gone and the fingers of the other hand are but stumps, taken away by the exploding of a shell.

Prof L. W. Burns has been engaged as the principal of the Marlinton Academy for the coming session. For the past four years Mr Burns has been County Superintendent of Greenbrier County and has made a good one. He is a young man, well equipped and takes an interest in the work. For some months he has been attending the summer course at the University of West Virginia. Prof. Burns will have five or six assistants and at last Marlinton is to have a good school housed in a building she need not be ashamed of.

Mr Marynard Harvey Best and Mrs Bryana Horsthal were married in New York July 30th ult. Mr Best has been in town some days settling up business affairs, preparing to move to California, where the newly wedded couple expect to reside.

While on their way to the cemetery last Monday a bumpy team turned over the carriage in which Mrs W. H. Cackley, Mr and Mrs Homer Thompson were riding. Mrs Cackley received a sprained or fractured ankle—the others escaped injury.

Valley Democrat

A pretty private wedding occurred at the Hotel De Armit Saturday, July 7th. Dr. Moore Noble McKee and Miss Rachel Runner being the happy contracting parties. In the presence of a few friends and relatives the beautiful ceremony of the M. E. church was performed by Rev. Marston, the pastor of the Edray circuit.

Dr McKee is a well known dentist in this section having come from Buckhanna and practiced his profession at Edray, Slaty Fork and Clover Lick. The bride is also known to many of our people, having been the Doctor's assistant for some time. The wedding party returned to Clover Lick Saturday evening where Dr McKee is at present located. Many friends wish them well.

Sergeant Burner of Cass, brought Bud Morgan, a yellow boy, to jail Monday. He longed for some ham meat which was in a box car and had broken the seal taken out two cases of 12 hams each and a case of canned corn. This was Saturday night. A warrant was sworn out and the missing property, with the exception of one ham, was found. At the examination before Mayor Kirkpatrick the negro pleaded not guilty, but the evidence was so conclusive that he was sent to jail to await the action of the grand jury. Morgan is a Runaway negro, and has been working on the section near Hosterman. Last week he came to Cass and hired to the section foreman there, and had worked one day when he was overtaken with a fault.

SHOT BY OFFICER

While Resisting Arrest

C. L. C. Burner, sergeant at Cass, shot Jim Phillips, a woodsman, whom he was attempting to arrest for stealing a lot of jewelry. Tuesday Phillips and his buddy John Hutchinson had stolen a suitcase belonging to a man named J. P. Lawson, at Dunlevie. Lawson knew they had gotten his property, but had no opportunity to swear out a warrant for them. He followed them to Cass, where Mayor Kirkpatrick issued the necessary papers. They were put in the hands of Burner who went after the men Hutchinson stood for being arrested, but Phillips, who is below medium height but husky, took what he termed a "mooch for himself." Burner's most too ready gun came into play and Phillips was shot in the fleshy part of the thigh.

Jewelry of sufficient value to make a felony case against the prisoners was found in their stockings. Shortly after their arrest they made confession. They were brought before Mayor Kirkpatrick. They waived examination and were sent to jail to await action of the grand jury. Hutchinson says he is from Parkersburg, and Phillips is from one of the counties on the Little Kanawha. They have been working on Cheat Mountain, but went to Dunlevie on Saturday. The theft of the suit case was on Monday night. Phillips had the appearance of a man sobering up after a prolonged spree, and when brought to jail was limping from the gunshot wound. Neither are more than 25 years old.

Shot by Negro Burglar

On Saturday evening about 5 o'clock when Allen Wikel, who lives about three miles from Roanoverte and works for the St. Lawrence Company, was nearing his home he saw a strange negro sneaking around the house—all members of the family being absent from home. When Wikel reached the house he looked through the window and saw the negro inside examining a pair of socks. When the negro saw Wikel he shot through the window at him inflicting a painful wound in his shoulder. Wikel ran to his neighbor Holiday's for assistance and returned to his home, and after watching the house for half an hour or more entered and found the negro had left for parts unknown.—Democrat.

Fitzgerald—Buzard

At 3 P. M. July 4th at the parsonage of the M. E. Church South Greenbank W. Va., Mr Ira B. Fitzgerald and Miss Otis Sue Buzard were united in marriage, Rev. H. Q. Burr officiating. They were attended by Mr Russell Crowley and Miss Clifflie Fitzgerald, cousin and sister of the groom. The groom is well known being the son of Mr and Mrs S. R. Fitzgerald of the Oak Grove neighborhood. The bride is a daughter of the Assessor Jos. H. Buzard. After the ceremony the wedding party repaired to the home of the groom's parents where a beautiful supper was served, a few friends and relatives being present.

Young Man Shot at Rich Patch.

Friday afternoon Dick Wilcher, aged 19 years, was shot and instantly killed by James Shafer, aged about 25 years. The tragedy occurred in the Rich Patch neighborhood sometime after 4 o'clock. It appears that Shafer is a weak minded fellow and that Wilcher and a few others had been teasing Shafer at Kelley's store against Shafer's protests to be let alone. Shafer left Wilcher and his friends, and it is presumed went home. Later they met Shafer in the public road and renewed their tactics. Shafer again asked to be let alone but no attention was paid to him. Finally in the scramble Wilcher struck Shafer with a bottle, when the latter pulled a pistol and shot Wilcher through the heart, killing him instantly.

Shafer left the community saying he was going to Covington and surrender, but at last reports he was still at large.—Hinton News.

SULLENBARGER BROS

Monterey, Va
Have for sale some choice Hereford stock for breeding purposes. We invite inspection.

Col. R. S. Turk is in town.

Mrs T. S. McNeel is in Highland County this week.

W. B. Sharp, of Bristol, is in town.

Grounds have been broken for Dr Hill's house in East Marlinton.

Durbin will hold its first municipal election on the 28th of this month.

Mrs A. C. Echard and Miss Laura Garth are at their former home in Nelson County.

Mrs S. B. Wallace is absent on a six weeks stay in Rockbridge and Shenandoah Counties.

Mrs J. V. Knight is visiting at Elkins. She is accompanied by Mrs Hazeltime.

Miss Mabel Moore is visiting her grand parents at Flatwoods in Braxton County.

Rev. J. B. Grimes and little son Clyde were in Marlinton Wednesday.

N. W. Nickel has moved to the Kincaid property on Camden Avenue.

Squire George R. Richardson has received word that his brother Rev Frank Richardson, broke his arm some days since.

Among the Levels people in town Tuesday were J. K. Bright, G. W. Callison, W. W. Beard and R. K. Burns.

Assessor Joe Buzzard reports the collection of thirtyseven hundred capitation tax dollars. This is about three hundred more than was collected last year.

Mr and Mrs E. M. Richardson, of Durbin were in town Sunday. Since their return home Mr Richardson has been sick, threatened with fever.


Died, at the Hospital at Weaton, on the morning of July 5th, Andy Hughes, aged about 60 years. He was well known to all the people of upper Pocahontas Co., having spent the greater part of his life in Pocahontas. His remains were interred in the Cemetery at Weaton.

Frank and Lee Maxwell, cattle dealers from Harrison and Braxton Counties, were in the County last week buying cattle. They got about three hundred head in Pocahontas and Randolph which they will feed. The cattle were all two year old steers. Among the cattle purchased were the herds of William Sharp, Q. W. Poage and Isaac Sharp.

Jake Gibson, on Elk killed two exceptionally large hawks last week. He and his family were taking their Sabbath day rest when the chicken eaters appeared over the ridge, making straight for his house. He hastily gathered his shot gun and as he got to the door they were overhead, about a hundred feet distant. He shot at one and turned and gave the other a load. Both fell within a few feet of Mr Gibson. They were over four feet from tip to tip, and had already killed a large number of chickens.

Communion services will be held at the Presbyterian church Sunday morning. The Rev. Dr. R. A. Webb, of Clarksville Tenn will preach. He is known in Pocahontas, having spent a summer here some years ago. He is one of the best preachers in the Southern Presbyterian Church. For a number of years he has had a position in the Southwestern University as Professor of Theology. It is Dr. Webb's intention to spend the summer in Marlinton.

The Adams Express Company have agreed not to deliver O. O. D. whiskey packages in Raleigh County, and all packages in the depots of the county are to be returned immediately. This was arrived at after every agent in the county had been arrested and put under bond not to deliver any more O. O. D. whiskey packages. All the agents immediately telegraphed their resignations to take effect if they were compelled to handle the whiskey business. We understand an adjoining county has followed the lead of Raleigh and they are free from the curse.



A Refreshing newness and originality pervade our new models of "Dorothy Dodd" Shoes, and they have the added charm of being inexpensive. You may have shoes in plenty and for every occasion, without being extravagant. But not less important is the saving of fatigue that comes from the wearing of these faultless fitting, light weight shoes. As one wearer remarked the other day:

"The Dorothy Dodd Shoes is as comfortable as the proverbial glove. It may be constantly worn from the day of purchase."

You incur no expense or obligation in seeing our display. Let us try on one pair!

PAUL GOLDEN.

Proclamation

To the qualified voters of the Town of Marlinton, and to all persons interested.

The Mayor and the Council of the Town of Marlinton, Pocahontas County, West Virginia, in regular meeting held on Friday June 1, 1906, passed the following Ordinance:

Be it resolved, That for the purpose of constructing sewers for the use of the inhabitants of the Town of Marlinton and for the constructing, repair and improvement of the streets and alleys of the Town of Marlinton, and for the public good and the general welfare of the said town, the Mayor and the Council of the Town of Marlinton deem it expedient to issue bonds to the amount of \$15000 of the denomination of \$100, payable by the Corporation of Marlinton, bearing interest at six per centum from their date until paid, the said interest to be paid semi-annually, to-wit, on the 15th day of June and the 15th day of December, of each year. Of this amount \$5000 shall be used for the construction of the sewerage system for the said town of Marlinton and \$10000 shall be used for the construction and repair of the streets and alleys of said town. One half of said bonds to be paid in ten years, and the other half in twenty years from their date. And that in order to pay the semi-annual interest on said bonds and provide a sinking fund for their liquidation at the time specified, the present limit of rate of taxation be augmented, not however to exceed seventy five cents on the One Hundred Dollars valuation of all real and personal property in said Corporation for all purposes."

Now, I, T. S. McNeel, Mayor of the Corporation of Marlinton, acting pursuant to law and under said Ordinance do hereby appoint Thursday, July 12, 1906, as the time at which an election will be held in the Town of Marlinton, at the Court-house in said Town to decide whether they will ratify or reject said ordinance. The Corporation of Marlinton has no bonded debt existing at this time.

Given under my hand as Mayor of the Corporation of Marlinton, in my office in said Town, this 30th day of June, 1906.

T. S. McNEEL, Mayor.

For Sale: A good red cow, 5 years old, in good condition. Price \$40. Apply to VAN B. QUINN, Marlinton, W. Va.

FOR RATIFICATION FOR REJECTION

This is election day in Marlinton. The question is whether we will issue bonds for public improvements or no. The vote will probably be light. We append the ticket:

Special
MUNICIPAL ELECTION
JULY 12 1906

On Ordinance of Mayor and Common Council to bond Town of Marlinton to raise money for sewer system and street improvements.

Flour and Feed

I have taken charge of the Dunmore Mill at Dunmore, and am prepared to do custom grinding, and have in stock at all times burr ground, domestic corn table meal. We buy grain in carload lots and are prepared to give the closest prices on ground feed and flour. Let me have the opportunity of giving you quotations.

W. J. Pritchard.
Dunmore W. Va.

Notice.
I wish to buy a piece of improved land or a small farm. Any one having such please call on me or address C. O. Silva, at Buckeye, West Va.